

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SALIM S. LAKHA)	
)	
Plaintiff,)	Case No. C09-787-RSL-BAT
)	
v.)	REPORT AND
)	RECOMMENDATION
MICHAEL J. ASTRUE, Commissioner of the)	
Social Security Administration)	
)	
Defendant.)	

Plaintiff Salim S. Lakha brought this action to seek judicial review of the denial of his claims for a period of disability and for disability insurance benefits and supplemental security income by the Commissioner of the Social Security Administration. Dkt. 1. Based on the stipulation of the parties (Dkt. 30), the Court recommends that this case be **REVERSED** and **REMANDED** for further administrative proceedings.

The parties have stipulated that the case be reversed and remanded for a de novo hearing and further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g), including but not limited to the following: the administrative law judge (ALJ) will reevaluate the medical source opinions of record; evaluate plaintiff's VA rating consistent with *McCartey v. Massanari*, 298 F.3d 1072 (9th Cir. 2002) and *Valentine v. Commissioner Soc. Sec. Admin.*, 574

1 F.3d 685 (9th Cir. 2009); reevaluate plaintiff's credibility; further evaluate plaintiff's residual
2 functional capacity; and obtain supplemental vocational expert testimony. *See* SSR 00-4p.

3 The parties further stipulate that plaintiff may submit additional evidence and arguments to
4 the ALJ on remand, that the ALJ will issue a de novo decision, and that those other aspects of the
5 ALJ's prior decision not specifically addressed here are not specifically affirmed.

6 Because parties have stipulated that the case be remanded as set forth above, the Court
7 recommends that United States District Judge Robert S. Lasnik immediately approve this Report
8 and Recommendation and order the case **REVERSED** and **REMANDED** for further
9 administrative proceedings. The parties also agree that upon proper presentation the Court
10 should consider plaintiff's application for costs and attorney fees under 28 U.S.C. § 2412(d). A
11 proposed order accompanies this Report and Recommendation.

12 DATED this 23rd day of April, 2010.

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15 BRIAN A. TSUCHIDA
16 United States Magistrate Judge
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